

106th TN General Assembly

First Regular Session



Tuesday, March 17, 2009

SENATE

COMMITTEE REPORTS

COMMERCE, LABOR & AGRICULTURE – SHR #12 – 1:30 p.m. –

Rec. for pass., ref to Calendar – SB's 2262, 1623, 1393.
Rec. for pass. if am., ref to Calendar – SB 395.
Rec. for pass. if am., ref to FW&M – SB 1089.
Action def. – SB's 847, 1971, 812, 1204, 1180, 1931, 59, 41, 469, 1954.
Ref. to Gen. Sub. – SB 1489.

ENVIRONMENT, CONSERVATION & TOURISM – SHR #12 – 11:30 a.m. –

Rec. for pass., ref to Calendar – SB 2273.
Rec. for pass., ref to FW&M – SB 632.
Rec. for pass. if am., ref to FW&M – SB 2305.
Action def. – SB's 1128, 2038, 1312.
Ref. to Gen. Sub. – SB 633.

STATE & LOCAL GOVERNMENT – SHR #12 – 8:30 a.m. –

Rec. for pass., ref to Calendar – SB's 1221, 2221, 2048, 2049, 2050, 2216.
Rec. for pass. if am., ref to Calendar – SB's 755, 614, 874, 309.
Rec. for pass., ref to FW&M – SB's 53, 303, 2044, 2211.
Rec. for adopt., ref to Calendar – SJR 107.
Rec. for concur., ref to Calendar – HJR's 170, 171, 174.
Rec. for concur. if am., ref to Calendar – HJR 163.
Action def. – SJR's 113, 114, SB's 550, 551, 1999, 748, 2191, 2064, 1564, 1647, 2205, 832, 164, 1955.
Ref. to Gen. Sub. – SB's 573, 1177, 1921, 830.

TRANSPORTATION – SHR #12 – 10:30 a.m. –

Rec. for pass. if am., ref to Calendar – SB's 8, 323.
Rec. for pass., ref to FW&M – HB's 986, 1634, 1212, 2135, 22, 762, 129, 1293, 2070, 1371, 1697, 282, 1983, 2159.
Rec. for pass. if am., ref to FW&M – SB's 1383, 1711.
Action def. – HB's 619, 1958, 921.
Ref. to Gen. Sub. – SB 58,

MESSAGE FROM THE GOVERNOR

SJR's 93, 95, 98, 99, 100, 103, 105, 106, 108, 109, 110, 111, 119, 122 – SIGNED 3/12/09.
SB 17 – SIGNED 3/16/09.

CALENDARS FOR THURSDAY, MARCH 19, 2009

Consent

- 1. SJR 0047 by *Henry**
Memorials, Public Service - William H. "Bill" Frist -
- 2. SJR 0138 by *Burchett**
Memorials, Recognition - Municipal Technical Advisory Service, 60th anniversary -
- 3. SJR 0141 by *Faulk**
Memorials, Death - Curtis Mawk -
- 4. SJR 0142 by *Faulk**
Memorials, Death - Steve Vass -
- 5. SJR 0143 by *Faulk**
Memorials, Death - Bennie Douglas Floyd -
- 6. SJR 0144 by *Faulk**
Memorials, Recognition - Wayne and Betty Shirley -
- 7. SJR 0145 by *Faulk**
Memorials, Death - Doug Harbin -
- 8. SJR 0146 by *Yager**
Memorials, Death - Samuel Henry Davis -
- 9. SJR 0147 by *Burchett**
Memorials, Recognition - Breakthrough Corporation -
- 10. SJR 0148 by *Finney L**
Memorials, Death - John Carthel Nowell, Jr. -
- 11. SJR 0149 by *Finney L**
Memorials, Personal Occasion - James and Elizabeth Crum, 70th anniversary -
- 12. SJR 0151 by *Finney L, Harper, Ford, O., Marrero B, Burks**
Memorials, Recognition - Business and Professional Women -
- 13. SJR 0154 by *Faulk**
Memorials, Recognition - Dan Brooks -
- 14. SR 0036 by *Yager**
Memorials, Personal Achievement - Monica Joy Haley, Girl Scout Gold Award -
- 15. SR 0037 by *Stanley**
Memorials, Personal Occasion - Henry Clark Doan, 80th birthday -
- 16. HJR 0049 by *McDonald, Maggart, Lynn, Ferguson, Fraley, Armstrong, Barker, Bass**
Memorials, Recognition - Rogers Group, 100th anniversary -
- 17. HJR 0187 by *Harwell**
Memorials, Personal Achievement - Matthew Daniel Newborn, Eagle Scout -
- 18. HJR 0188 by *McDonald**
Memorials, Recognition - Jackie Davis Kelley -
- 19. HJR 0189 by *Watson, Brooks K, Armstrong, Barker, Bass, Bell, Bone, Borchert**
Memorials, Professional Achievement - Eric Stansberry, 2008-2009 ITEA Teacher Excellence Award for Tennessee -
- 20. HJR 0190 by *McCormick, Dean, Lynn**
Memorials, Retirement - Edward M. Foster -

Consent #2

1. **SB 1221 by *Bunch (*HB 1209 by *Watson, Brooks K)**
Tax Assessors and Collectors - As introduced, permits municipal distress warrants issued by tax collector to be executed by police officer of municipality in same manner as provided by law for the sheriff. - Amends TCA Title 67, Chapter 4.
2. ***SB 2048 by *McNally, Henry, Burchett (HB 1980 by *Fitzhugh)**
State Government - As introduced, adds the governor, secretary of state, state treasurer, comptroller, and commissioner of finance and administration as ex officio members of the Tennessee local development authority. - Amends TCA Title 4, Chapter 31, Part 1.
3. ***SB 2050 by *McNally, Henry, Burchett (HB 1978 by *Fitzhugh)**
Local Government, General - As introduced, enacts the "Local Government Electronic Technology Act of 2009." -
4. **HJR 0170 by *Armstrong, Barker, Bass, Bell, Bone, Borchert, Brooks K, Brooks H**
Naming and Designating - "World Kidney Day," March 12, 2009 -
5. **HJR 0171 by *DeBerry L**
Naming and Designating - "Safe Kids Week," April 26-May 3, 2009 -
6. **HJR 0174 by *Gilmore**
Naming and Designating - "Faith Day on the Hill," March 4, 2009 -
7. **SJR 0107 by *Black**
Naming and Designating - "Tennessee Day of Prayer," May 7, 2009 -

Local Bill

1. **SB 2034 by *Faulk (HB 1830 by *Lundberg, Mumpower)**
Bristol - As introduced, subject to local approval, provides that the members of the municipal board of education shall be elected in the same manner used to elect the city council. - Amends amend Chapter 84 of the Private Acts of 1991; as amended by Chapter 140 of the Private Acts of 1996, Chapter 2 of the Private Acts of 1997, Chapter 130 of the Private Acts of 2002, Chapter 64 of the Private Acts of 2005.

Regular

1. ***SJR 0127 by *Black, Gresham, Southerland, Crowe, Overbey, Faulk, Woodson, Yager, Stanley, Burchett**
Constitutional Amendments - Adds new provision to Article I to provide that nothing in Constitution of Tennessee secures or protects right to abortion or requires the funding of an abortion; states that the people retain the right through their elected state representatives and state senators to enact, amend, or repeal statutes regarding abortion, including, but not limited to, circumstances of pregnancy resulting from rape or incest or when necessary to save the life of the mother. -
2. ***SB 0309 by *Berke, Jackson, Ketron (HB 1736 by *Fincher)**
Guns - As introduced, grants a shooting range that had been in operation for at least 30 years prior to December 16, 2008, the right to continue operating at the same location and such right shall not be amended, restricted, or terminated due to zoning changes. - Amends TCA Section 39-17-316.
3. ***SB 0323 by *Johnson (HB 0661 by *Sargent)**
Motor Vehicles, Titling and Registration - As introduced, authorizes air pollution control board to provide inspection and maintenance program in certain counties using enhanced technology of remote sensing devices, and extend certain program contracts, to comply with air quality criteria. - Amends TCA Title 55, Chapter 4, Part 1 and Title 68, Chapter 201, Part 1.
4. ***SB 0614 by *Tracy (HB 1357 by *Carr)**
Municipal Government - As introduced, allows municipalities to take special census at their own expense any time between regular decennial federal censuses. - Amends TCA Section 6-51-114; Title 6, Chapter 56, Part 1; Section 54-4-203; Section 57-5-205 and Section 67-6-103.
5. ***SB 0755 by *Johnson (HB 1177 by *Sargent)**
Taxes, Real Property - As introduced, specifies that if spouses file a joint federal income tax return the income of a property owner's spouse is attributable to the property owner for purposes of determining whether the property is eligible for property tax relief for elderly or disabled homeowners. - Amends TCA Title 67, Chapter 5, Part 7.

6. ***SB 0874 by *Ketron (HB 1391 by *Tindell)**
Alcoholic Beverages - As introduced, adds Meadow Creek Mountain Rustic Resort in Cocke County to those facilities authorized to sell alcoholic beverages for on-premises consumption as a premier type tourist resort. - Amends TCA Section 57-4-102.
7. ***SB 2049 by *McNally, Henry, Burchett (HB 1979 by *Fitzhugh)**
Utilities, Utility Districts - As introduced, reduces from three to two the number of consecutive years a utility district, water system, or wastewater facility must have a negative change in net assets in order to be considered financially distressed. - Amends TCA Section 7-82-703; Section 7-82-401 and Section 68-221-1010.
8. **SB 2216 by *McNally (*HB 2360 by *Jones U)**
Alcoholic Beverages - As introduced, adds Rarity Pointe in Loudon County to those facilities authorized to sell alcoholic beverages for on-premises consumption as a premier type tourist resort. - Amends TCA Section 57-4-102.
9. **SB 2221 by *Johnson (*HB 2365 by *Casada)**
Alcoholic Beverages - As introduced, adds Laurel Cove in Williamson County to those facilities authorized to sell alcoholic beverages for on-premises consumption as a premier type tourist resort. - Amends TCA Title 57, Chapter 4, Part 1.
10. **HJR 0163 by *Curtiss**
Naming and Designating - "Certified Government Financial Manager Month," April 2009 -
11. ***SB 0540 by *Ketron, Black, Gresham (HB 1510 by *Todd)**
Public Employees - As introduced, provides that, during negotiations between representatives of public employee unions and representatives of state or local governmental entities, planning or strategy sessions of either set of representatives when meeting with the entity it represents are not open to the public. - Amends TCA Section 8-44-201.
12. **SB 0217 by *Stanley (*HB 0230 by *Todd)**
Education - As introduced, allows local boards of education to delegate authority regarding assignment of individual students for decision-making on such matters. - Amends TCA Title 49.
13. ***SB 0421 by *Bunch (HB 0874 by *Brooks K)**
Education - As introduced, allows the sale of 12 ounce products in middle schools. - Amends TCA Section 49-6-2307.
14. **SB 0431 by *Bunch (*HB 0537 by *Bell)**
Tobacco, Tobacco Products - As introduced, requires posting of signs stating that smoking is permitted in establishments, instead of signs stating that smoking is prohibited. - Amends TCA Title 39, Chapter 17, Part 18.
15. **SB 0998 by *Johnson, Ford, O. (*HB 0990 by *Lynn, Kernell, Cobb J)**
Sunset Laws - As introduced, terminates Gibson County water projects authority. - Amends TCA Title 4, Chapter 29 and Title 64, Chapter 1.
16. **SJR 0092 by *Ramsey, Tracy**
Memorials, Personal Occasion - Bruce and Adeline Frizzell, 50th anniversary -

SENATE CONVENES AT 9:00 A.M., THURSDAY, MARCH 19, 2009

HOUSE

SECOND CONSIDERATION

2/11/09

CAPTION, HELD ON DESK – HB 344.
HEALTH & HUMAN RESOURCES – HB 297.
JUDICIARY – HB 99.

2/12/09

CAPTION, HELD ON DESK – HB's 382, 446.
CONSUMER & EMPLOYEE AFFAIRS – HB 480.
FINANCE, WAYS & MEANS – HB 531.
JUDICIARY – HB's 412, 426, 428.
STATE & LOCAL GOVERNMENT – HB's 388, 492, 514, 524, 616.
TRANSPORTATION – HB 400.

2/18/09

CAPTION, HELD ON DESK – HB 790.
CHILDREN & FAMILY – HB 1134.
EDUCATION – HB 689.
JUDICIARY – HB's 1075, 1086.
STATE & LOCAL GOVERNMENT – HB 698.
TRANSPORTATION – HB 859.

2/19/09

CAPTION, HELD ON DESK – HB's 1203, 1381, 1436.
CONSERVATION & ENVIRONMENT – HB 1444.
CONSUMER & EMPLOYEE AFFAIRS – HB's 1278, 1279, 1365.
CHILDREN & FAMILY – HB 1439.
JUDICIARY – HB's 1150, 1233, 1448.
STATE & LOCAL GOVERNMENT – HB's 1246, 1347, 1354, 1370, 1400, 1411.

2/23/09

CAPTION, HELD ON DESK – HB's 1502, 1561, 1622, 1642.
EDUCATION – HB 1644.
HEALTH & HUMAN RESOURCES – HB's 1552, 1646.
STATE & LOCAL GOVERNMENT – HB's 1536, 1577, 1630.
TRANSPORTATION – HB's 1599, 1620.

2/25/09

FINANCE, WAYS & MEANS – HB 1683.
HEALTH & HUMAN RESOURCES – HB's 1706.
STATE & LOCAL GOVERNMENT – HB 1733.
TRANSPORTATION – HB 1744.

2/26/09

FINANCE, WAYS & MEANS – HB's 1893, 1894.
JUDICIARY – HB's 1762, 1892.

3/2/09

CAPTION, HELD ON DESK – HB 2030.
CONSUMER & EMPLOYEE AFFAIRS – HB's 1916, 1993, 2005.
FINANCE, WAYS & MEANS – HB 2002.
JUDICIARY – HB's 1973, 1975, 1986, 2000, 2004, 2018.

STATE & LOCAL GOVERNMENT – HB’s 1950, 1977, 1980, 1985, 2001, 2051.
TRANSPORTATION – HB’s 2013, 2070.

3/4/09

CAPTION, HELD ON DESK – HB’s 2114, 2167, 2261, 2279, 2322, 2347.
CONSUMER & EMPLOYEE AFFAIRS – HB’s 2190, 2218.
FINANCE, WAYS & MEANS – HB 2219.
HEALTH & HUMAN RESOURCES – HB’s 2250, 2265, 2266, 2286.
JUDICIARY – HB’s 2079, 2141, 2203, 2232, 2236, 2237, 2284, 2306, 2315, 2332, 2333, 23334, 2369, 2377.
STATE & LOCAL GOVERNMENT – HB’s 2256, 2274, 2313.
TRANSPORTATION – HB’s 2186, 2331.

3/16/09

HELD ON DESK – HB’s 2383, 2384.
EDUCATION – HB 2143.

COMMITTEE REPORTS

AGRICULTURE – HHR #29 – 9:15 a.m. –
Rec. for pass. if am., ref to FW&M – HB 2110.
Action def. – HB’s 1512, 2137.
Taken off notice – HB 2132.
Ref. to Ag subcommittee – HB 727.
CALENDAR & RULES – HHR #16 – 8:00 a.m. –
Reg. Cal. 3/19 – HB’s 46, 70, 390, 1168, 82, 533.
Con. Cal. 3/23 – HB’s 402, 278, 580, 1438, 93, 989, 1019, 1030, 1046, 1059, 1077.
COMMERCE – HHR #16 – 9:15 a.m. –
Rec. for pass. if am., ref to C&R – HB’s 971, 978.
Action def. – HB 595.
FINANCE, WAYS & MEANS – HHR #16 – 1:30 p.m. –
Rec. for pass., ref to C&R – HB 298.
Rec. for pass. if am., ref to C&R – HB’s 213, 216.
HEALTH & HUMAN RESOURCES – HHR #16 – 10:30 a.m. –
Rec. for pass. – HB’s 319, 462.
Rec. for adopt. – HJR 120.
Action def. – HB 702.
STATE & LOCAL GOVERNMENT – HHR #16 – 12:00 noon –
Rec. for pass., ref to C&R – HB’s 291, 305, 306, 307, 956, 2043.
Rec. for pass. if am., ref to C&R – HB’s 1391, 225, 347, 1177.
Rec. for pass., ref to FW&M – HB 273.
Rec. for pass. if am., ref to FW&M – HB 310.
Rec. for adopt., ref to C&R – HR 30.
Failed – HB 824.
Action def. – HB’s 1357, 1653.
TRANSPORTATION – HHR #16 – 3:00 p.m. –
Rec. for pass., ref to C&R – HB’s 1624, 2375.
Rec. for pass. if am., ref to C&R – HB 985.
Rec. for pass., ref to FW&M – HB’s 16, 1187, 487.
Rec. for pass. if am., ref to FW&M – HB’s 336, 1494, 453, 488, 491, 602, 1934.
Action def. – HJR 78, HB’s 366, 1581, 576, 1116, 2006, 384, 372, 1929.

SUBCOMMITTEE REPORTS

CIVIL PRACTICE & PROCEDURE – HHR #31 – 12:00 noon –
Rec. for pass. if am. – HB’s 645, 730.
Action def. – HB’s 2154, 1384, 1832, 1771, 1772, 800, 126, 130, 736, 1385, 1358.
Taken off notice – HB’s 2338, 502, 1533, 405.

CONSUMER AFFAIRS – HHR #30 – 8:30 a.m. –
Action def. – HB 550.

ELECTIONS – HHR #16 –
Action def. – HB’s 1857, 105, 779, 1719.

ENVIRONMENT – HHR #29 – 12:00 noon –
Rec. for pass. if am. – HB’s 1245, 1912, 1981.
Action def. – HB 899.

FAMILY JUSTICE – HHR #30 – 9:15 a.m. –
Action def. – HB’s 677, 5.

HIGHER EDUCATION – HHR #29 – 8:30 a.m. –
Action def. – HB’s 808, 2342, 2143.
Taken off notice – HB 460.

PROFESSIONAL OCCUPATIONS – HHR #31 – 8:30 a.m. –
Rec. for pass. – HB’s 465, 1550.
Action def. – HB’s 106, 464, 1124, 1465, 1495.
Taken off notice – HB 2131.

PUBLIC HEALTH & FAMILY ASSISTANCE – HHR #16 - After Health
Rec. for pass. – HB 1828.
Rec. for pass. if am. – HB 1551
Failed – HJR 132.
Action def. – HB’s 1586, 2106, 50, 445, HJR’s 66, 127, 88, 61.
Taken off notice – HB 638.

RURAL ROADS – HHR #31 – 1:30 p.m. –
Rec. for pass. – HB’s 2140, 2179, 731.

SMALL BUSINESS – HHR #30 – 1:30 p.m. –
Rec. for adopt. – HJR 121.
Action def. – HB’s 644, 1375, 1846, 2199.

WILDLIFE – HHR #30 – 2:15 p.m. –
Action def. – HB’s 725, 361, 958.

MESSAGE FROM THE GOVERNOR

HJR’s 38, 131, 134, 140, 141, 142, 143, 147, 148, 151, 152, 153, 154, 155, 156, 157, 159, 161, 164, 180 –
SIGNED 3/12/09.

HOUSE CONVENES AT 9:00 A.M., THURSDAY, MARCH 19, 2009